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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/994,013	11/27/2001	Yoshiyuki Tsuda	216585US2RD	1105
22850 7590 08/22/2008 OBLON, SPIVAK, MCCLELLAND MAIER & NEUSTADT, P.C. 1940 DUKE STREET ALEXANDRIA, VA 22314			EXAMINER ENGLAND, DAVID E	
			ART UNIT 2143	PAPER NUMBER
			NOTIFICATION DATE 08/22/2008	DELIVERY MODE ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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<b>Office Action Summary</b>	<b>Application No.</b> 09/994,013	<b>Applicant(s)</b> TSUDA, YOSHIYUKI	
	<b>Examiner</b> DAVID E. ENGLAND	<b>Art Unit</b> 2143	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 08 May 2008.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) 17-20 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-16 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

### DETAILED ACTION

1. Claims 1 – 16 are presented for examination.

#### *Election/Restrictions*

2. Applicant's election without traverse of claims 1 – 16 in the reply filed on 05/08/2008 is acknowledged.

#### *Claim Rejections - 35 USC § 112*

3. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

4. Claims 1 – 16 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. The newly added limitation of, “a desired service content related to an accounting **other than a packet communication service**”, is not found in the specification nor did the Applicant point to the supportive sections in their specification that would have accompanied the amended subject matter. Applicant is asked to specifically point to the areas of their specification and drawing that support this amended claim language or amend out the newly added limitation.
5. All other dependent claims are rejected for dependency on the rejected dependent claims.

***Claim Rejections - 35 USC § 103***

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 1 – 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kakemizu et al. (U.S. 2002/0006133), hereinafter Kakemizu, in view of Raley (7073199).

8. Referencing claim 1, as closely interpreted by the Examiner, Kakemizu teaches a mobile communication system, comprising:

9. a mobile node device according to Mobile IP protocol, (e.g., abstract);

10. an AAA server device according to a prescribed AAA protocol which is provided at a home network of the mobile node device, for supporting an authentication and accounting service with respect to a utilization of a packet communication service associated with an accounting of a communication fee of the mobile node device, (e.g., ¶[0008]);

11. the mobile node device having a transmission unit configured to transmit an authentication and accounting request necessary for a service of a desired service content related to an accounting other than a packet communication service to at the AAAH server device, (e.g., ¶[0128])

12. and the AAAH server device comprising:

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13. an information recording unit configured to record communication fee information regarding a communication fee to be charged to a user of the mobile node device, (e.g., "account process" ¶ 0011);

14. an authentication and accounting processing unit configured to receive the authentication and accounting request from the mobile node device, and to carry out authentication and accounting processes for the mobile node device according to the communication fee information and the authentication and accounting request, (e.g., ¶0019-0038), but does not specifically teach wherein the service of the desired service content includes at least a service that requires a process for a payment of a charged amount to another party by the AAAH server device and a process for a transfer of the charged amount to the communication fee of a user of the mobile node device.

15. Raley teaches wherein the service of the desired service content includes at least a service that requires a process for a payment of a charged amount to another party by the AAAH server device and a process for a transfer of the charged amount to the communication fee of a user of the mobile node device, (e.g., col. 5, line 62 – col. 6, line 25, "Clearinghouse"). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine Raley with Kakemizu because allowing another party to control payment of services allows the system to have specific nodes in charge of specific tasks, i.e., service providing node and a payment node. This could free up processing space on each node and allow a larger number of requests to be serviced.

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16. As per claim 2, as closely interpreted by the Examiner, Kakemizu does not specifically teach the authentication and accounting processing unit of the AAAH server device is operated such that, when the service of the desired service content is a processing for transferring the charged amount to be paid to said another party by the user of the mobile node device to the communication fee of the user of the mobile node device, the communication fee information is recorded in the information recording unit according to the charged amount.

17. Raley teaches the authentication and accounting processing unit of the AAAH server device is operated such that, when the service of the desired service content is a processing for transferring the charged amount to be paid to said another party by the user of the mobile node device to the communication fee of the user of the mobile node device, the communication fee information is recorded in the information recording unit according to the charged amount, (e.g., col. 5, line 62 – col. 6, line 25, “Clearinghouse”). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine Raley with Kakemizu because of similar reasons stated above.

18. As per claim 3, as closely interpreted by the Examiner, Kakemizu does not specifically teach the authentication and accounting processing unit also carries out a procedure for paying the charged amount to said another party when the service of the desired service content is the payment of the charged amount to said another party.

19. Raley the authentication and accounting processing unit also carries out a procedure for paying the charged amount to said another party when the service of the desired service content is the payment of the charged amount to said another party, (e.g., col. 5, line 62 – col. 6, line 25,

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“Clearinghouse”). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine Raley with Kakemizu because of similar reasons stated above.

20. As per claim 4, as closely interpreted by the Examiner, Kakemizu does not specifically teach the authentication and accounting processing unit of the AAAH server device is operated such that, when the service of the desired service content is the processing for transferring the charged amount to be paid to said another party by the user of the mobile node device to the communication fee of the user of the mobile node device, the authentication and accounting processing unit notifies information regarding the authentication and accounting request from the mobile node device to another AAA server device for supporting the authentication and accounting service with respect to a mobile node of said another party.

21. Raley teaches the authentication and accounting processing unit of the AAAH server device is operated such that, when the service of the desired service content is the processing for transferring the charged amount to be paid to said another party by the user of the mobile node device to the communication fee of the user of the mobile node device, the authentication and accounting processing unit notifies information regarding the authentication and accounting request from the mobile node device to another AAA server device for supporting the authentication and accounting service with respect to a mobile node of said another party, (e.g., col. 5, line 62 – col. 6, line 25). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine Raley with Kakemizu because of similar reasons stated above.

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22. As per claim 5, as closely interpreted by the Examiner, Kakemizu does not specifically teach the authentication and accounting processing unit of the AAAH server device is operated such that, when the service of the desired service content is acquisition of a charged amount information regarding the charged amount to be paid to said another party by the user of the mobile node device, the authentication and accounting processing unit acquires the charged amount information from a device providing the charged amount information and transfers the charged amount information to the mobile node device.

23. Raley teaches the authentication and accounting processing unit of the AAAH server device is operated such that, when the service of the desired service content is acquisition of a charged amount information regarding the charged amount to be paid to said another party by the user of the mobile node device, the authentication and accounting processing unit acquires the charged amount information from a device providing the charged amount information and transfers the charged amount information to the mobile node device, (e.g., col. 5, line 62 – col. 6, line 25). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine Raley with Kakemizu because of similar reasons stated above.

24. As per claim 6, as closely interpreted by the Examiner, Kakemizu teaches an AAAF server device according to the prescribed AAA protocol which is provided at a visited network of the mobile node device, for supporting the authentication and accounting service with respect to the utilization of the packet communication service associated with the accounting of the communication fee of the mobile node device, the AAAF server device (32) having a transmission unit configured to transmit another authentication and accounting request for



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requesting an accounting with respect to the utilization of the packet communication service associated with the accounting of the communication fee of the mobile node device that has moved to the visited network, (e.g., ¶0019-0038);

25. wherein the authentication and accounting processing unit of the AAAH server device is operated such that, when said another authentication and accounting request is received from the AAAF server device and it is judged that authentication succeeded according to an authentication information contained in said another authentication and accounting request, the communication fee information is recorded in the information recording unit according to information regarding the accounting contained in said another authentication and accounting request, (e.g., ¶0019-0038).

26. Claims 7 – 16 are rejected for similar reasons as stated above.

### ***Response to Arguments***

27. Applicant's arguments with respect to claims 1 – 16 have been considered but are moot in view of the new ground(s) of rejection.

### ***Conclusion***

28. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

29. a. Raley U.S. Patent No. 7073199 discloses Document distribution management method and apparatus using a standard rendering engine and a method and apparatus for controlling a standard rendering engine.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to DAVID E. ENGLAND whose telephone number is (571)272-3912. The examiner can normally be reached on Mon-Thur, 7:00-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tonia Dollinger can be reached on 571-272-4170. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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